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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2675	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)	
10/677,261	MATSUMURA ET AL.	
Examiner	Art Unit	
Tammy Pham	2675	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-35* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *10/3/2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☒ All b)☐ Some * c)☐ None of:
    1.☒ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-12, 21, 23, 26 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Hanson et al. (US Patent No: 6,710,754 B2).

As for claim 1, Hanson teaches of a display apparatus (Fig. 1) comprising:

a transmission type display portion (130) provided with a touch panel function in column 4, lines 20-28,

a display portion (110) provided on a backward of the transmission type display portion (130) such that the display portion (110) can be seen through the transmission type display portion (130) in column 4, lines 7-15, and

a control portion (410) for controlling the transmission type display portion (130) and the display portion (110) in column 3, lines 25-30.

As for claim 2, Hanson teaches of the display apparatus (Fig. 1) according to claim 1, wherein a touch panel element is provided on a surface of the transmission type display portion (130) in column 4, lines 20-288.

As for claim 3, Hanson teaches of the display apparatus (Fig. 1) according to claim 1, wherein the transmission type display portion (110) includes a touch panel element inside in column 4, lines 20-28.

As for claim 4, Hanson teaches of a display apparatus (Fig. 1) comprising:

a transmission type display portion (130) that is provided with a touch panel function and can display an image on a transparent surface in column 4, lines 20-28,

a display portion (110) that is provided apart from the transmission type display portion (110) and displays an image on a backward of the transmission type display portion (110) in column 4, lines 7-15, and

a control portion (410) for controlling a displayed content of the transmission type display portion (130) and the display portion (110) in column 3, lines 25-30.

As for claim 5, Hanson teaches of the display apparatus (Fig. 1) according to claim 1, wherein display of the display portion is changed depending on a touched position on a touch panel on the transmission type display portion (130) in column 4, lines 8-28 and in column 3, lines 48-58.

As for claim 6, Hanson teaches of the display apparatus (Fig. 1) according to claim 4, wherein display of the display portion is changed depending on a touched position on a touch panel on the transmission type display portion (130) in column 4, lines 8-28 and in column 3, lines 48-58.

As for claim 7-8, Hanson teaches of the display apparatus (Fig. 1), wherein the touched position is displayed in a form of a button in column 4, lines 20-28.

As for claims 9-10, Hanson teaches of the display apparatus (Fig. 1), wherein the displayed button is displayed in a position that does not prevent a view to the display portion (110) in column 3, lines 1-4.

As for claims 11-12, Hanson teaches of the display apparatus (Fig. 1) according to claim 1, wherein the control portion (410) controls such that a pointer is displayed in the display portion (110) in accordance with an operation of the touch panel in column 3, lines 48-58.

As for claim 21, Hanson teaches that the display apparatus (Fig. 1) according to claim 1, wherein the transmission type display portion (110) covers the display portion (110) such that the display portion (110) can be seen in column 3, lines 5-15.

As for claim 23, Hanson teaches that the display apparatus according to claim 1, further comprising:

An operation switch adjacent to the transmission type display portion,

Wherein the operation switch is displayed selectively in the transmission type display portion in column 3, lines 48-58. Where in first designing the apparatus, one can choose whether or not to include buttons or switches and what types.

As for claim 26, Hanson teaches of the display apparatus (Fig. 1) according to claim 1, wherein the transmission type display portion (110) is formed of an organic EL (Electro Luminescent) layer, and the display portion (110) is formed from a liquid crystal display apparatus (Fig. 1) in column 3, lines 5-16.

As for claim 28, Hanson teaches of the display apparatus (Fig. 1) according to claim 1, wherein a portion of the transmission type display portion (130) is turned to be a transparent so that display of the display portion (110) can be seen in column 3, lines 5-15.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 13-19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson et al. (US Patent No: 6,710,754 B2) in view of Hirao et al. (US Application No: 2002/0067366 A1).

As for claims 13-14, Hanson teaches of control portion (410) changes an image displayed on at least one of the transmission type display portion (110) and the display portion (110) in column 4, lines 20-28.

Hanson fails to teach of an approach detecting portion.

Hirao teaches of an approach detecting portion for detecting an operation object in section [0028-9].

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the approach detecting portion as taught by Hirao to influence or change the images of the transmission type display portion as taught by Hanson in order to adequately alter a picture display on a display screen for the convenience of the driver (see Hirao: section [0004]).

As for claim 15-16, Hirao teaches of the display apparatus (Fig. 1) wherein the approach detecting portion can detect an approach direction of the operation object in sections [00028-9].

As for claim 17, Hanson teaches of a display apparatus (Fig. 1).

Hanson fails to teach that the display apparatus is mounted on a vehicle.

Hirao teaches that the display apparatus is mounted on a vehicle in section [0002].

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the display apparatus as taught by Hanson to be mounted on a vehicle as taught by Hirao to present various information to the driver while driving (see Hirao: section [0002]).

As for claims 18-19, Hanson teaches of a display apparatus (Fig. 1).

Hanson fails to teach of that the display apparatus is mounted on a vehicle, and the approach detecting portion distinguishes whether the operation object is approaching in a direction from a driver seat or a passenger seat in section [0035].

Hirao teaches that the display apparatus is mounted on a vehicle, and the approach detecting portion distinguishes whether the operation object is approaching in a direction from a driver seat or a passenger seat in section [0035]. If the detecting portion can detect the driver's position in relation to the passenger then, the detecting can detect directions from both sides.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the approach detecting portion as taught by Hirao to influence or change the images of the transmission type display portion as taught by Hanson in order to adequately alter a picture display on a display screen for the convenience of the driver (see Hirao: section [0004]).

As for claim 22, Hanson teaches of a display apparatus.

Hanson fails to teach that the display apparatus is provided in a middle portion between a driver set and a passenger seat.

Hirao teaches that the display apparatus is provided in a middle portion between a driver set and a passenger seat in section [0028].

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the display apparatus as taught by Hanson to be mounted on a vehicle as taught by Hirao to present various information to the driver while driving (see Hirao: section [0002]).

3. Claims 20, 24-5 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson et al. (US Patent No: 6,710,754 B2) in view of Baeger (US Patent No: 4,521,078).

As for claim 20, Hanson teaches of a display apparatus (Fig. 1) according to claim 1, wherein the transmission type display portion (110).

Hanson fails to teach that the display is constituted by a curved surface.

Baeger teaches that the display is constituted by a curved surface in column 1, lines 45-50.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to create a display apparatus as taught by Hanson to have a curved surface as taught by Baeger in order to prevent the unwanted light from the display from affecting the observer (see Baeger: column 2, lines 43-46).

As for claim 24, Hanson teaches of the display apparatus (Fig. 1) according to claim 17, wherein the transmission type display portion (110).

Hanson fails to teach that the display portion has a curved plate shape, and an inclination angle with respect to a floor surface of a vehicle is larger in a lower portion than in an upper portion of the transmission type display portion.

Baeger teaches that the display portion has a curved plate shape, and an inclination angle with respect to a floor surface of a vehicle is larger in a lower portion than in an upper portion of the transmission type display portion in column 2, lines 33-43. The section shows that the display(s) are able to maneuver to varying angles.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to create a display apparatus as taught by Hanson to have a curved surface as taught by Baeger in order to prevent the unwanted light from the display from affecting the observer (see Baeger: column 2, lines 43-46).

As for claim 25, Hanson teaches of the display apparatus (Fig. 1) according to claim 1, wherein the display portion (110) is a flat plate shape. In column 4, lines 20-28.

Hanson fails to teach that the transmission type display portion (110) has a curved plate shape.

Baeger teaches that the display is constituted by a curved surface in column 1, lines 45-50.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to create a display apparatus as taught by Hanson to have a curved surface as taught by Baeger in order to prevent the unwanted light from the display from affecting the observer (see Baeger: column 2, lines 43-46).

As for claim 31, Hanson teaches of the display apparatus (Fig. 1) according to claim 1 with a display of the transmission type display portion (130).

Hanson fails to teach that the display is provided pivotally with one end thereof as a supporting point.

Baeger teaches that the display is provided pivotally with one end thereof as a supporting point in column 2, lines 28-29.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include with a display apparatus as taught by Hanson a support structure as taught by Baeger in order to support the apparatus (see Baeger: column 2, lines 28-29).

4. Claims 29-30 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson et al. (US Patent No: 6,710,754 B2) in view of Wright (US Application No: 2004/0036952 A1).

As for claim 29, Hanson teaches of the display apparatus (Fig. 1) according to claim 1, wherein display of an operation switch displayed in the transmission type display portion (130) in column 3, lines 48-58.

Hanson fails to teach that the switch is controlled such that the display appears or disappears gradually.

Wright teaches that the switch is controlled such that the display appears or disappears gradually in section [0027].

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the switch that gradually makes the display (dis)appear as taught by Wright with the display apparatus as taught by Hanson in order to allow the user to select the an appropriate level of tint (see Wright: section [0011]).

As for claim 30, Hanson teaches of the display apparatus (Fig. 1) with a transmission type display portion (130).

Hanson fails to teach that the display is controlled so as to be selectively opaque so that the display portion (110) cannot be seen.

Wright teaches that the display is controlled so as to be selectively opaque so that the display portion cannot be seen in section [0027].

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the switch that gradually makes the display (dis)appear as taught by Wright with the display apparatus as taught by Hanson in order to allow the user to select the an appropriate level of tint (see Wright: section [0011]).

As for claim 32, Hanson teaches of an on-board display apparatus (Fig. 1) a backward display portion (110) , provided on a backward of the transmission type display portion (130) while being spaced apart from the transmission type display portion (130) , for performing a display;

a display control portion (410) displays a switch operation guide in the transmission type display portion (110) in column 3, lines 5-15;

a touch detecting portion, provided in the transmission type display portion (110) , for detecting a touched position by a touching operation of an operator in column 4, lines 20-28; and

an operation signal output portion for outputting an operation signal indicating an operation content based on a display state of the display control portion (410) and a tough detection output from the touch detecting portion in column 3, lines 25-30,

the transmission type display portion (130) functioning as a touch panel and covering the backward display portion (110) such that an image thereof can be seen in column 3, lines 5-15.

Hanson fails to teach that the display is mounted on a vehicle and that a portion, which is provided on a forward and is substantially planar, capable of displaying in a varied state between an opaque state and a transparent state.

Wright teaches that the display is mounted on a vehicle and that a portion, which is provided on a forward and is substantially planar, capable of displaying in a varied state between an opaque state and a transparent state in section [0027].

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the switch that gradually makes the display (dis)appear as taught by Wright with the display apparatus as taught by Hanson in order to allow the user to select the an appropriate level of tint (see Wright: section [0011]).

As for claim 33, Hanson teaches of the on-board display apparatus (Fig. 1) according to claim 32, wherein the display control portion (410) controls such that a pointer is displayed on the display screen of the backward display portion (110) such that the pointer is in a position corresponding to the touched position, when a touch is detected by the touch detecting portion in column 4, lines 20-30.

5. Claims 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson et al. (US Patent No: 6,710,754 B2) in view of Baeger (US Patent No: 4,521,078) and Hirao et al. (US Application No: 2002/0067366 A1).

As for claim 34, Hanson teaches of the on-board display apparatus (Fig. 1) and of a display control portion which displays the switch operation guide in column 3, lines 50-55.

Hanson fails to teach of an approach detecting portion for detecting an approach of an operation object, wherein a certain image is displayed in the display portion when the approach of the operation object is detected by the approach detecting portion.

Hirao teaches of an approach detecting portion for detecting an approach of an operation object, wherein a certain image is displayed in the display portion when the approach of the operation object is detected by the approach detecting portion in sections [0028-9].

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the approach detecting portion as taught by Hirao where certain image(s) are to appear when the approach detecting portion is triggered in order to influence or change the images of the transmission type display portion as taught by Hanson in order to adequately alter a picture display on a display screen for the convenience of the driver (see Hirao: section [0004]).

As for claim 35, Hanson teaches of the on-board display apparatus (Fig. 1) and of a display control portion which displays the switch operation guide in column 3, lines 50-55.

Hanson fails to teach of an approach detecting portion also can detect an approach direction of the operation object, and the images to be displayed in at least one of the display portion and the backward display portion based on the approach direction of the operation object detected by the approach detecting portion.

Hirao teaches of an approach detecting portion also can detect an approach direction of the operation object, and the images to be displayed in at least one of the display portion and the backward display portion based on the approach direction of the operation object detected by the approach detecting portion in sections [0028-9]/

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the approach detecting portion as taught by Hirao where certain image(s) are to appear when the approach detecting portion is triggered in order to influence or change the images of the transmission type display portion as taught by Hanson in order to adequately alter a picture display on a display screen for the convenience of the driver (see Hirao: section [0004]).

6. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson et al. (US Patent No: 6,710,754 B2).

Hanson teaches of the display apparatus (Fig. 1) with a transmission type display portion and a display portion.

Hanson fails to teach that one display portion is larger than that of the other display portion.

Examiner takes official notice that it is known in the arts to have displays of various sizes and shapes and that it is well known to have one display portion is larger than that of the other display portion.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to have one display portion larger than that of the other in regards to the apparatus as taught by Hanson in order to have one display be the primary display (see Hanson: column 2, lines 43-45).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy Pham whose telephone number is (571) 272-7773. The examiner can normally be reached on 8:00-5:30 (Mon-Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tammy Pham
February 22, 2006

KENT CHANG
PRIMARY EXAMINER